

No. 2444

IN THE
United States Circuit Court of Appeals
FOR THE NINTH CIRCUIT, DISTRICT
OF CALIFORNIA

MAX STEINFELDT,

Plaintiff in Error,

VS.

THE UNITED STATES OF AMERICA,

Defendant in Error.

Petition for Rehearing

P. S. EHRLICH,

Attorney for Plaintiff in Error.

Filed this.....day of February, A. D., 1915

FRANK D. MONCKTON, Clerk.

By.....Deputy Clerk.

THE TEN BOSCH COMPANY, SAN FRANCISCO

FEB 26 1915

F. D. Monckton,
Clerk.

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PETITION FOR A REHEARING.

Counsel for petitioner respectfully petitions this Court that a rehearing in the above-entitled cause be granted, because of the deep and far-reaching consequences of this decision on the development of constitutional law. The Court, by its decision, grants to the Federal Government unlimited power within the confines and domain of any particular State, and it seems to entirely disregard the fundamental distinction pointed out by Justice Harlan in the Lottery Cases, *Champion v. Ames*, wherein the Court held that the power of Congress extended only so far as in-

terstate commerce in contraband articles, and did not extend to intrastate commerce in contraband articles.

If the Court should deny this petition of plaintiff-in-error for a rehearing, it is asked that the Court grant a thirty-day stay of execution for the purpose of allowing time to prepare a petition for writ of certiorari to the Supreme Court of the United States, or direct appeal, and, that pending the determination of such petition, or direct appeal, that plaintiff-in-error be admitted to bail.

Respectfully submitted,

PHILIP S. EHRLICH.